



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eun -Kyung Lee Conf. No.: 5019
Application No.: 10/758,136 Examiner: Laura M. Schillinger
Filing Date: January 16, 2004 Art Unit: 2813
Title: METHOD OF MANUFACTURING SILICON
OPTOELECTRONIC DEVICE, SILICON
OPTOELECTRONIC DEVICE MANUFACTURED BY THE
METHOD AND IMAGE INPUT AND/OR OUTPUT
APPARATUS USING THE SILICON OPTOELECTRONIC
DEVICE
Attorney Docket: 2557SI-001230/US/CPA

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Petition

October 21, 2009

PETITION UNDER 37 C.F.R. § 1.78(a)(3)

Pursuant to 37 C.F.R. § 1.78(a)(3), Applicants respectfully petition for the acceptance of an unintentionally delayed claim for priority. The requisite reference, surcharge, and statement are detailed below.

The present application intended to claim priority under 35 U.S.C. § 120 as a continuation-in-part of U.S. Application No. 10/122,421, filed on April 16, 2002, which claims priority under 35 U.S.C. § 119(a) to Korean Application No. 10-2002-0001431, filed January 10, 2002. The specification has been

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amended to include this reference to the prior-filed application (via the Amendment under 37 C.F.R. § 1.111, filed October 21, 2009).

The surcharge set forth in 37 C.F.R. § 1.17(t) in the amount of \$1,410.00 (ONE THOUSAND FOUR HUNDRED AND TEN DOLLARS) is enclosed.

Furthermore, the entire delay between the date the priority claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the priority claim was filed was unintentional. Previous counsel attempted to correct the priority claim to the '421 application several times.¹ Applicants were not aware that these attempts by previous counsel to correct the priority claim to the '421 application were unsuccessful until the time of receipt of an Office Action from the U.S.P.T.O in the 11/350,751 Application, namely July 8, 2009.

Accordingly, Applicants respectfully request the Office to grant the petition for the acceptance of an unintentionally delayed claim for priority.

Should there be any outstanding matters that need to be resolved in the present application, the Office is respectfully requested to contact the undersigned at the telephone number below.

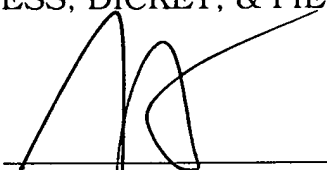
¹ Applicants received an Official Filing Receipt on February 27, 2006 reflecting the proper claim for priority. Previous counsel pointed this out in their response of December 27, 2007. Previous counsel has also pointed this out in responses filed on September 11, 2008 and on April 10, 2009.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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JAC/pw